

PROB 12B
(7/93)

United States District Court

for

District of New Jersey

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Miguel Melo

Cr.: 02-680-001

Name of Sentencing Judicial Officer: John W. Bissell, U.S. District Judge

Date of Original Sentence: 06-09-03

Original Offense: Importation of Heroin

Original Sentence: 42 months imprisonment; 4 years TSR

Type of Supervision: Supervised Release

Date Supervision Commenced: 06-08-05

PETITIONING THE COURT

- ☐ To extend the term of supervision for Years, for a total term of Years.
☒ To modify the conditions of supervision as follows. The addition of the following special condition(s):

The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office. The defendant shall contribute to the cost of services rendered via co-payment or full payment in an amount to be determined by the Probation department, based upon the defendant's ability to pay or the availability of a third party payment.

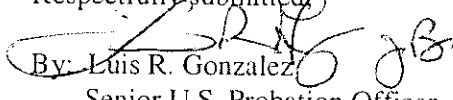
CAUSE

On March 20, 2006, the offender submitted a urine specimen which tested positive to cocaine.

On March 31, 2006, U.S. Probation Officer Marline Aurelus of the Eastern District of New York Probation Department interviewed the offender who admitted that on March 20, 2006, he snorted cocaine. He informed that he was socializing with a friend in his neighborhood who offered him the drug as they sat in a parked vehicle outside his home. He explained that he was "stressed," because he was suspended without pay from his employment while his girlfriend is seven months pregnant.

On April 10, 2006, the offender signed the attached Probation Form 49, agreeing to participate in a drug treatment program. On behalf of the Eastern District of New York Probation Department, we respectfully request that the Court order the proposed modification with consent of the offender.

Respectfully submitted,

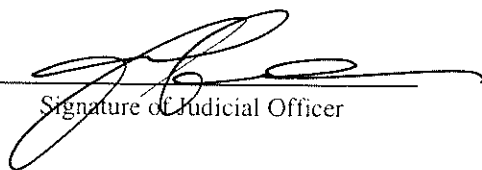
By:  Luis R. Gonzalez

Senior U.S. Probation Officer

Date: 05-03-06

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
- ☐ The Extension of Supervision as Noted Above
- ☐ No Action
- ☐ Other



Signature of Judicial Officer



Date

United States District Court

DISTRICT OF NEW JERSEY

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and the assistance of counsel before any unfavorable change(s) may be made in my conditions of Probation and/or Supervised Release or before my period of supervision can be extended. By assistance of counsel, " I understand that I have the right to be represented at a hearing by counsel of my choosing if I am able to retain counsel. I also understand that I have the right to request that the Court appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel. "

I hereby voluntarily waive my statutory right to a hearing and to the assistance of counsel. I also hereby agree to the following modification (s) of my conditions of Probation and/or Supervised Release or to the proposed extension of my term of supervision:

"The defendant shall participate in a substance abuse treatment as approved by the Probation Department. Treatment may include out-patient or residential treatment as determined by the Probation Department. The defendant shall abstain from all illegal substances and/or alcohol. The defendant shall contribute to the cost of services rendered via co-payment or full payment in an amount to be determined by the Probation Department, based upon the defendant's ability to pay or the availability of a third party payment."

Witness:

Mark Anderson
U.S. Probation Officer

Signed:

Michael G. Gels
Probationer or Supervised Releasee

4/10/06

Date